

Press statement issued on behalf of the family of Aidan Mc Anespie

June 24 2008)

The family of Aidan Mc Anespie who was shot and fatally wounded by a British soldier in 1988 have welcomed the findings of the Historical Enquiry Team into the controversial killing. The HET has concluded that, of the possible scenarios that led to the fatal shooting, the version of events as suggested by the soldier who shot Aidan “*could be considered to be the least likely.*” The report went on to find that,

“In the final analysis, the HET is of the view that, whatever the truth of the matter in this case, it is unlikely that the GPMP (General Purpose Machine Gun) was discharged in the circumstances, or in the manner, described by Guardsman Holden.”

Speaking earlier today Elish Mc Anespie, sister of the victim, said,

“We welcome the fact that the HET has highlighted the glaring inconsistencies in the official version of events. It was claimed that the soldier was in the process of physically lifting and moving the GPMG and that his finger slipped onto the trigger thus ‘accidentally’ firing off three shots one of which ricocheted off the road striking Aidan.”

Reluctantly we have come to terms with the reality that the full truth may never be established. Only Guardsman Holden and others on duty that terrible Sunday know what really happened but at least we have an official report which rejects the accepted version of the incident . We accept that there are difficulties to legally justify reopening the case so many years on. Though we do not believe that we can find justice through the criminal justice system we have attained some measure of truth, truth for Aidan, truth for us as a family and truth for the wider community who supported us and never believed the official story. We have never believed that Aidan died as the result of a series of random disconnected coincidences with no relationship to how he was perceived by those who harassed him on a daily basis.”

Background:

On Sunday 21 February 1988, Aidan McAnespie was shot and fatally wounded by a soldier firing a General Purpose Machine Gun (GPMG) from the permanent British army checkpoint at Aughnacloy. A Grenadier Guardsman, David Holden, was charged with manslaughter but the Director of Public

Prosecutions later withdrew this charge.

Holden claimed that he was moving the GPMG when his wet fingers, which were allegedly wet from cleaning the sanger, slipped onto the trigger, which resulted in the discharge of three shots. One of the shots struck Aidan in the back, fatally wounding him. According to the ballistic and forensic evidence, the fatal shot was a ricochet. Guardsman Holden denied that he aimed at Aidan or was tracking him and claimed that the incident was a tragic accident.

Aidan McAnespie was routinely stopped and harassed by the British army as he passed through the Aughnacloy check point on his way to work or going to the GAA club located past the checkpoint. As with many nationalists at the time Aidan was considered by the British army to be an IRA suspect, therefore, his movements were observed and recorded by the soldiers at the check point. He had made numerous complaints to the RUC about the harassment and had raised this in the media. In the minutes before the shooting there is incontrovertible evidence that he was being tracked as he walked through the checkpoint.

Gdsm Holden claimed that he moved the weapon by holding the pistol grip with a “loose grip.” As he did, his finger slipped and he inadvertently pulled the trigger. The HET test fired a GPMG and found that:

“Activating the trigger required having a firm grip on the pistol grip and squeezing the trigger until it activated. It was found to be difficult and required considerable force to activate the trigger without having the hand firmly gripped around the pistol grip.” Therefore, Holden’s loose grip explanation contradicted the results of the practical test on the weapon.

Furthermore, the HET discovered that the gun was mounted on to a pivot, which allowed the weapon to be swivelled. Therefore there was no necessity for Holden to have his hand on the pistol grip and finger on the trigger guard since he only had to swivel the butt of the weapon on the pivot in order to reposition the weapon. In addition another soldier confirmed that he had already repositioned the weapon.

Holden claimed that his hands were still wet from cleaning the Sanger 10 minutes earlier. HET investigators have analysed the activities in the sanger that day which showed that the cleaning was conducted by a cleaning party and that Holden had resumed look- out duty a half hour before the shooting. The ‘wet hands’ scenario is difficult to reconcile with the timing of the cleaning duties.

Lance Sergeant Peters gave evidence that on entering the sanger after the shooting and asking Holden what had happened the reply was that he had squeezed the trigger.

Investigation:

Holden was not interviewed until more than 24 hours after the incident. In the intervening period he remained in military custody. There was a further 24 hour delay before the second interview took place.

The crime scene was not examined by the FSNI until the next day and there is no record of any scene protection in the interim. This would result in “*crime scene evidence recovered being questionable*” according to the HET.

Forensic & Ballistics:

The gun had been dismantled and cleaned earlier that day. It has not been established why or by whom the gun was left cocked and with the safety catch off. This was totally in contravention of standing orders.

The forensic evidence concluded that a ricochet bullet, which struck the ground just directly behind Aidan before it entered his body, inflicted the fatal injury.

The weapon discharged three rounds and the fatal bullet was a tracer round. There is now no way of knowing whether the fatal bullet was the first or the last of three shots fired. Swab tests taken from the roadway no longer exist.

*If the first shot fired resulted in the ricochet from the fatal strike mark then this could support the assertion that the gun was aimed at the victim or in his vicinity. However, the HET has since discovered that the forensic report gave no consideration to the possibility that the fatal ricochet was a result of the **first** shot discharged from the weapon.*

It should be noted that there is clear evidence that the Guardsman had Aidan, whom he considered to be a suspect, under close observation as he passed through the checkpoint. However at the moment of discharge Holden claimed to have been physically repositioning the weapon. In other words he claims not to have been aiming at or tracking Aidan when the shots were fired.

The HET questions “*the likelihood of an accidental random discharge striking the roadway only a few feet behind what would be from the vantage point of the machine gun post a miniscule figure at a distance of 283.4 meters*”

Having weighed up all the propositions and taken all the circumstances into account Guardsman Holden’s version of events “*could be considered to be the least likely*” according to the Historical Enquiry Team.

Commenting on the above Elish Mc Anespie said,

“WE agree with the conclusion of this report which states that “*whatever the truth of the matter in this case, it is unlikely that the GPMG was discharged in the circumstances, or in the manner, described by Guardsmen Holden.*”

“This report vindicates our family and our long campaign for justice. We have always rejected the theory that Aidan was killed by a ricochet bullet fired at random because a soldier had wet slippery fingers which inadvertently came in contact with the trigger and that Aidan was not being tracked at that precise moment. This report should be read by the British and Irish Governments, the Chief Constable, the Prosecution Service, the Ministry of Defence and the relevant authorities in the FSNI. And those in authority should at least have the decency to feel a sense of shame.”

Finally we wish to express our disappointment and frustration at the refusal of the Irish Department of Justice to allow us access to the Gardai (Crowley) report into Aidan’s shooting. Repeated approaches were made to the Gardai and Justice Department on our behalf by the Pat Finucane Centre and others however we have been refused. Many people in Monaghan and Tyrone co-operated with the Gardai at our behest but now we are not permitted to see the report even where we requested that a redacted version be made available with all witnesses remaining anonymous.

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